

Message Text

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ORIGIN OES-06

INFO OCT-01 EUR-12 EA-07 ISO-00 L-03 H-01 EB-08 COME-00
DOTE-00 DLOS-06 SAL-01 TRSE-00 SP-02 CIAE-00 INR-07
NSAE-00 CG-00 INT-05 SS-15 NSC-05 DODE-00 NSCE-00
SSO-00 USIE-00 INRE-00 /079 R

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O 260136Z FEB 77
FM SECSTATE WASHDC
TO AMAMBASSY MADRID IMMEDIATE 7249
AMEMBASSY SEOUL IMMEDIATE
AMEMBASSY TOKYO IMMEDIATE
USMISSION EC BRUSSELS IMMEDIATE
AMEMBASSY ROME IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY BONN IMMEDIATE
AMEMBASSY DUBLIN IMMEDIATE
INFO AMEMBASSY COPENHAGEN IMMEDIATE
AMEMBASSY LUXEMBOURG IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY BRUSSELS IMMEDIATE
AMEMBASSY THE HAGUE IMMEDIATE

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C O R R E C T E D C O P Y (LINE 4 PARA 6 OMIT BY ORIG)

E.O. 11652: N/A

TAGS: EFIS, EEC, JA, KS, SP, XN, SP

SUBJECT:PROHIBITION ON FISHING BY FISHING VESSELS OF THE
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EEC,SPAIN, KOREA AND JAPAN IN EARLY MARCH

REF: (A) ROME 2910, (B) USEC BRUSSELS 1781

1. GOVERNING INTERNATIONAL FISHERY AGREEMENTS (GIFA) FOR
THE EC, SPAIN, KOREA AND JAPAN ARE AT PRESENT UNDERGOING
CONGRESSIONAL REVIEW TO GAIN NECESSARY APPROVAL BEFORE

ENTRY INTO FORCE. IT IS CLEAR THAT THE APPROVAL WILL NOT OCCUR BEFORE MARCH 1--THE DATE OF ENTRY INTO EFFECT OF THE U.S. 200-MILE FISHERY CONSERVATION ZONE (FCZ). IN FACT, THE APPROVAL MAY NOT COME BEFORE MARCH 3 OR 4.

2. IN VIEW OF SPECIFIC LANGUAGE OF THE NEW LAW AND INTENSE CONGRESSIONAL, PUBLIC AND MEDIA INTEREST, DEPT ON FEB 25 CALLED IN EMBASSY OFFICERS FROM JAPAN, KOREA, SPAIN AND ITALY AND ADVISED THEM THAT SINCE GIFAS COULD NOT ENTER INTO FORCE BY MARCH 1, VESSELS OF THEIR COUNTRIES COULD NOT FISH BEGINNING MARCH 1 UNTIL ENTRY INTO FORCE OF THE GIFAS AND COMPLETION OF THE PERMIT ISSUING PROCESS. THEY WERE ADVISED THAT THE U.S. HAS NO ALTERNATIVE TO FULL ENFORCEMENT OF THE FISHERY CONSERVATION AND MANAGEMENT ACT (FCMA) ON MARCH 1, WITHOUT SERIOUSLY RISKING CONGRESSIONAL DISAPPROVAL OF GIFAS.

3. IN EXPLANATION, DEPT ALSO ADVISED EMBASSY OFFICERS THAT THE UNWILLINGNESS OF THE CONGRESS TO TAKE QUICKER ACTION ON APPROVAL OF THE GIFAS APPEARS TO STEM LARGELY FROM PROBLEMS RELATED TO THE JAPANESE GIFA. THE CONGRESS (HOUSE SUB-COMMITTEE ON FISHERIES) WISHES ADDITIONAL TIME TO HOLD FURTHER HEARINGS ESSENTIALLY ON THE JAPANESE GIFA. SENATE IS ALSO HAVING PROBLEMS.

4. ADDITIONALLY, FOR SPAIN AND ITALY, EVEN IF THE GIFAS WERE APPROVED, APPLICATIONS HAVE NOT YET BEEN RECEIVED IN WASHINGTON FOR SPANISH AND ITALIAN FISHING VESSEL PERMITS (SUBMISSION OF THE SPANISH APPLICATIONS TO LIMITED OFFICIAL USE

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THE EMBASSY IN MADRID IS ACKNOWLEDGED BUT NO ACTION CAN BE TAKEN TO REVIEW THE APPLICATIONS OR ISSUE PERMITS UNTIL THOSE APPLICATIONS ARE RECEIVED IN WASHINGTON). THE REVIEW PROCESS AFTER APPLICATIONS ARE RECEIVED MAKE IT UNLIKELY THAT SPANISH OR ITALIAN PERMITS CAN BE ISSUED PRIOR TO MARCH 15.

5. EMBASSIES AND USEC BRUSSELS ARE REQUESTED TO ADVISE HOST GOVTS AND EC STAFF, RESPECTIVELY, SUBSTANCE OF ABOVE INFORMATION NOTING THAT DEPT HAS ADVISED EMBASSIES IN WASHINGTON. EMPHASIS SHOULD BE PLACED ON NEED FOR FOREIGN FISHING VESSELS OF JAPAN, KOREA, SPAIN AND EC TO CEASE ALL FISHING ACTIVITY WITHIN THE FCZ BY MIDNIGHT FEBRUARY 28 AND NOT TO RESUME FISHING UNTIL PERMITS HAVE BEEN ISSUED. EMBASSIES MAY REVIEW GIFA AND PERMIT PROCESS WITH HOSTS DRAWING ON FOLLOWING: ONCE THE CONGRESS APPROVES THE GIFA, THERE MUST THEN BE AN EXCHANGE OF NOTES TO BRING THE GIFA INTO FORCE. THIS DOES NOT APPLY TO JAPANESE GIFA. THEN,

IF PERMIT APPLICATIONS HAVE BEEN RECEIVED AND APPROVED BY THE SECRETARY OF COMMERCE, THE DEPT WILL FORWARD TO THE EMBASSIES IN WASHINGTON A STATEMENT OF PERMIT APPROVAL AND THE TERMS AND CONDITIONS AFFECTING THE APPROVED PERMITS. UPON RECEIPT FROM THE EMBASSIES OF A STATEMENT ACCEPTING THE TERMS AND CONDITIONS AND A COMMITMENT TO PAY REQUIRED FEES, THE SECRETARY OF COMMERCE WILL THEN ISSUE THROUGH THE DEPT OF STATE THE NECESSARY PERMITS. FROM THAT POINT, VESSELS ARE AUTHORIZED TO FISH. THE ABOVE PERMIT PROCEDURE CAN BE ACCOMPLISHED IN ONE DAY WITH RESPECT TO JAPAN.

6. FOR BONN AND PARIS: ALTHOUGH ABOVE TECHNICALLY APPLIES TO FRG AND FRANCE, TO OUR KNOWLEDGE THERE ARE NO FRG OR FRENCH FISHING VESSELS IN THE FCZ AND NONE ARE EXPECTED BEFORE SUMMER.

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7. FOR DUBLIN: THERE IS ONE IRISH FISHING VESSEL OFF

THE ATLANTIC COAST AT PRESENT. THAT VESSEL WILL NOT BE ISSUED A PERMIT EVEN WHEN EEC GIFA IS APPROVED SINCE THERE IS NO ALLOCATION OF FISH FOR IRELAND FOR 1977. THE IRISH EMBASSY IN WASHINGTON HAS BEEN ADVISED AND ASKED TO INSURE THAT THE VESSEL (ERIN FISHER) CEASES FISHING BEFORE MARCH 1. THE VESSEL'S ATTORNEY IN NEW YORK HAS ALSO BEEN SIMILARLY ADVISED.

8. DEPT WILL KEEP ADDRESSEES ADVISED AS PROCESS PROCEEDS.
VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Current Classification: UNCLASSIFIED
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Control Number: n/a
Copy: SINGLE
Sent Date: 26-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Enclosure: n/a
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Handling Restrictions: n/a
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TAGS: EFIS, JA, KS, SP, XN, US, EEC
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